UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,870	02/27/2004	Vadim Fux	555255012558	7232

24325 7590 01/24/2007 STEPHEN D. SCANLON JONES DAY 901 LAKESIDE AVENUE CLEVELAND, OH 44114	**EXAMINER** PATEL, MANGLESH M

ART UNIT	PAPER NUMBER
2178	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 October 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _1/17/2007_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This **Non-Final** action is responsive to communications: IDS filed on 01/17/07 to the response filed on 10/12/06.

2.   Claims 1-23 are pending. Claims 1, 10, 18-19 and 22 are independent claims

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on 01/17/07 has been entered, and considered by the examiner.

Withdrawn Rejections

4.   The 35 U.S.C. 103(a) rejections of claims 1-23 with cited reference of Teshima U.S. 6,687,879 have been withdrawn in view of the persuasive arguments and newly cited art.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori (U.S. Pub 2002/0087702, filed Dec 29, 2000).

Regarding Independent claims 1, 18, Mori discloses a system for facilitating the processing of font data for electronic data transfers to client devices, comprising: A client font list store comprising a list of client font capabilities associated with one or more client devices (abstract & paragraphs 12-15, wherein the font library includes a font listing and a font image for a client device); and Font processing software stored in a computer readable medium and comprising processor executable instructions that are operable to cause a processing device to receive an electronic data transfer addressed to at least one client device, the at least one client device corresponding to the one or more client devices, determine augment font data by accessing font data in the electronic data transfer and comparing the accessed font data to the list of client font capabilities associated with the one or more client devices, and to include the augment font data in the electronic data transfer to the at least one client device (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the request includes accessing a font library and determining which font image is appropriate for the device). Mori doesn't explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would have been obvious to one of ordinary skill to include a listing of fonts with the

appropriate device that supports them. The motivation for doing so would have been to allow display of rich-styled text based on the device capabilities thereby reducing the computational requirements of the client device.

Regarding Dependent claim 2 and 11, Mori discloses wherein the font processing software further comprises processor executable instructions that are operable to cause a processing device to request the list of client font capabilities from the one or more client devices and store the list of client font capabilities received in response in the client font list store (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the request includes receiving and storing the font images from the font library). Mori doesn't explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would have been obvious to one of ordinary skill to include a listing of fonts with the appropriate device that supports them. The motivation for doing so would have been to allow display of rich-styled text based on the device capabilities thereby reducing the computational requirements of the client device.

Regarding Dependent claim 3 and 12, Mori discloses wherein the one or more client devices comprise mobile communication devices (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the device is a mobile communication device).

Regarding Dependent claim 4 and 13, Mori discloses wherein the electronic data transfer comprises an electronic document (Fig 1A & Fig 3 & See paragraph 10, wherein the transfer includes an electronic document).

Regarding Dependent claim 5 and 14, Mori doesn't explicitly describe the use of a Wireless Access Protocol during the data transfer. However at the time of the invention it would have been obvious to one of ordinary skill to include the use of WAP since it is a open international standard for wireless communications for access to the internet. Further Mori describes in the abstract that it is for a mobile device that has access to a network that includes the Internet. The motivation for doing so would have been able to display a browser based on the restrictions of the client device thereby preventing errors.

Regarding Dependent claim 6 and 16, Mori discloses wherein the list of client font capabilities associated with one or more client devices comprises a list of fonts supported by each of the one or more client devices (fig 3 & paragraph 34, wherein the a library of fonts is accessed by multiple devices). Mori doesn't explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would have been obvious to one of ordinary skill to include a listing of fonts with the appropriate device that supports them. The motivation for doing so would have been to allow display of rich-styled text based on the device capabilities thereby reducing the computational requirements of the client device.

Regarding Dependent claim 7, with dependency of claim 1, Mori discloses wherein the font processing software is executed on a server computer having stored font data (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the server includes a font library).

Regarding Dependent claim 8, with dependency of claim 7, Mori discloses wherein the font processing software further comprises processor executable instructions that are operable to cause the server computer to request and receive augment font data from an augment font provider if the augment font data is not included in the stored font data (abstract & paragraphs 12-15 & fig 1B, 1C).

Regarding Dependent claim 9, with dependency of claim 1, Mori discloses: A server font data store comprising server font data for a plurality of font types (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the font library includes a plurality of font types); and A provider font list store comprising font provider access data (paragraph 31, wherein the font list includes user identification information); Wherein the processor executable instructions are operable to cause a processing device access the server font data store to obtain augment font data and to access the provider font list store to issue a request to a font provider to obtain augment font data (paragraph 34, wherein the device accesses the server font library and requests the font provider information for obtaining the font data).

Regarding Independent claim 10, Mori discloses a method of facilitating the processing of font data for electronic data transfers to client devices, comprising: Storing a list of client font capabilities associated with one or more client devices (abstract & paragraphs 12-15, wherein the font library includes a font listing and a font image for a client device); Accessing font data in an electronic data transfer addressed to at least one client device, the at least one client device corresponding to the one or more client devices (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the font library data is accessed by the client device); Comparing the accessed font data to the list of client font capabilities associated with the one or more client devices (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the client while accessing the font data includes determining what capabilities are supported for display by the device); Identifying augment font data based on the comparing the accessed font data to the list of client font capabilities associated with the one or more client devices (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the font images is provided to the client device by the analyzer based on its capabilities and frequency of the font characteristics); Including augment font data in the electronic data transfer to the at least one client device (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the requested and supported font is sent to the device). Mori doesn't explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would have been obvious to one of ordinary skill to

include a listing of fonts with the appropriate device that supports them. The motivation for doing so would have been to allow

display of rich-styled text based on the device capabilities thereby reducing the computational requirements of the client device.

Regarding Dependent claim 15, with dependency of claim 12, Mori discloses wherein the electronic data transfer comprises an

e-mail message (abstract & paragraphs 12-15 & fig 1B, 1C & paragraph 10).

Regarding Dependent claim 17, with dependency of claim 10, Mori discloses: Determining if the augment font data is stored in

a font data store (abstract & paragraphs 12-15 & fig 1B, 1C, wherein accessing the font images for the client device from the

library of fonts based on the configuration includes determining if the font data is stored in the font library);

Requesting augment font data from an augment font provider if the augment font data is not stored in the font data store (abstract

& paragraphs 12-15 & fig 1B, 1C & paragraph 30, wherein the request from the client device includes access to font data not

stored in the font library by updating the software).

Regarding Independent claim 19, Mori discloses a method of facilitating the processing of font data in electronic messages

addressed to one or more client devices, comprising: Determining client font capabilities associated with the one or more client

devices (abstract & paragraphs 12-15, wherein the font library includes a font listing and a font image for a client device);

Receiving an electronic message addressed to at least one client device, the at least one client device corresponding to the one or

more client devices (fig 1C, wherein a request to obtain the content or font images from the font library is received); Accessing

font data in the electronic message (fig 2, wherein the font data is accessed from the message); Comparing the accessed font data

to the client font capabilities associated with the one or more client devices (abstract & paragraphs 12-15 & fig 1B, 1C, wherein

the client while accessing the font data includes determining what capabilities are supported for display by the device);

Identifying augment font data based on the comparing the accessed font data to the client font capabilities associated with the one

or more client devices (abstract & paragraphs 12-15 & fig 1B, 1C, wherein the font images is provided to the client device by the

analyzer based on its capabilities and frequency of the font characteristics); Including augment font data in the electronic message

addressed to the at least one client device to create a font-augmented electronic message (abstract & paragraphs 12-15 & fig 1B,

1C, wherein the requested and supported font is sent to the device); and Transmitting the font-augmented electronic message to

the at least one client device (fig 1c, wherein the font augmented message is transmitted to the client device). Mori doesn't

explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would

have been obvious to one of ordinary skill to include a listing of fonts with the appropriate device that supports them. The

motivation for doing so would have been to allow display of rich-styled text based on the device capabilities thereby reducing the

computational requirements of the client device.

Regarding Dependent claim 20, with dependency of claim 19, Mori discloses wherein the determining client font capabilities associated with one or more client devices comprises receiving a list of client font capabilities from each of the one or more client devices (abstract & paragraphs 12-15, wherein the font library includes a font listing and a font image for a client device). Mori doesn't explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would have been obvious to one of ordinary skill to include a listing of fonts with the appropriate device that supports them. The motivation for doing so would have been to allow display of rich-styled text based on the device capabilities thereby reducing the computational requirements of the client device.

Regarding Dependent claim 21, with dependency of claim 20, Teshima discloses wherein the one or more client devices are mobile communication devices (Abstract, wherein the device is a mobile device).

Regarding Independent claim 22, Mori discloses a method of facilitating the processing of font data in an electronic message addressed to a mobile device, comprising: Receiving an electronic message (abstract & paragraphs 12-15 & fig 1B, 1C & paragraph 10, wherein an electronic message is received by the server from the client such as a request for access to font library based on the configuration information); Determining if the electronic message includes a font attachment including augment font data (fig 2, wherein the analyzer determines if the message includes a font attachment as defined by the user's configuration); and Upon determining that the electronic message includes a font attachment including augment font data, automatically storing the augment font data in a client font data store (abstract & paragraphs 12-15 & fig 1B, 1C & paragraph 10 & fig 2, wherein the configuration information is stored to determine what font is appropriate for display on the device). Mori doesn't explicitly define what client device supports what font within the library of fonts. However at the time of the invention it would have been obvious to one of ordinary skill to include a listing of fonts with the appropriate device that supports them. The motivation for doing so would have been to allow display of rich-styled text based on the device capabilities thereby reducing the computational requirements of the client device.

Regarding Dependent claim 23, with dependency of claim 22, Mori discloses communicating a notification of the automatic storing of the font data in the client font data store to a font server (abstract & paragraphs 12-15 & fig 1B, 1C & paragraph 10 & fig 2, wherein a notification is sent to the client device by the analyzer once the font data is stored in the library).

It is noted that any citation [[s]] to specific, pages, columns, lines, or figures in the prior art references and any interpretation of

the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied

upon for all that it would have reasonably suggested to one having ordinary skill in the art. [[See, MPEP 2123]]

Response to Arguments

7.   Applicant's arguments filed October 12, 2006 have been fully considered but are moot in view of the new grounds of rejection.

Conclusion
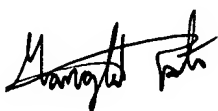
Reference Cited

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Chan et al. (U.S. 6,073,147) discloses "System For Distributing Font Resources Over A Computer Network"
- Taieb (U.S. 6,718,519) discloses "System And Method For Outputting Character Sets In Best Available Fonts"
- Collins et al. (U.S. 5,781,714) discloses "Apparatus And Method For Creating And Using Portable Fonts"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel
Patent Examiner
January 18, 2007

CESAR PAULA
PRIMARY EXAMINER